

REMARKS

The first paragraph of the specification was amended to update the status of the priority application to U.S. 6,730,786.

Claim 22 was amended to avoid improper multiple dependency.

Claim 23 was voluntarily amended to define R^a to avoid dependency from Claim 22.

Claim 24 was amended to add the structure of compound II and to define the variables therein.

Claim 25 was amended to add the structure of compound III and to amend dependency from Claim 24, instead of Claim 18.

Claim 26 was amended to add the structure of compound VI and to amend dependency from Claim 24, instead of Claim 18.

Claim 27 was amended to add the structure of compound VIIIA and to define the variables therein.

35 U.S.C. § 112 (2nd Par.) Rejection of Claims 18, 19, 24, 26 and 28-30

Claims 18, 19, 24, 26 and 28-30 were rejected under 35 U.S.C. § 112 (2nd Par.) as being indefinite and failing to particularly point out and distinctly claim the subject matter regarded as Applicants' invention, because of the term "general formula." As suggested by the Examiner, Applicants deleted the term "general" from the identified claims. Accordingly, the amendment of Claims 18, 19, 24, 26 and 28-30 renders moot the rejection.

35 U.S.C. § 112 (1st Par.) Rejection of Claims 18-23 and 28-30

Claims 18-23 and 28-30 were rejected under 35 U.S.C. § 112 (1st Par.), because, according to the Examiner, the specification does not reasonably provide enablement for all dehydrogenations.

Applicants traverse the rejection of Claims 18-23 and 28-30 and respectfully request that the Examiner reconsider the rejection of such claims.

In particular, Applicants note that the artisan, having a BS degree in chemistry and several years of experience, would have more than an adequate knowledge base to perform the *standard* transformation, involving dehydrogenation not only with Pd/C, but with other well known dehydrogenation techniques. One of ordinary skill in the art – once informed that the compound of Formula II could in fact under go

dehydrogenation – would have the knowledge of any number of standard dehydrogenation methods. The literature is replete with appropriate reagents and reactions suitable for use in dehydrogenation processes of compounds. A process chemist having several years of experience would be extremely familiar with the various methods of dehydrogenation and would not need to engage in undue experimentation to perform various types of dehydrogenation on the compound of Formula II.

Applicants submit that Claims 18-23 and 28-30 are enabled, such that one of ordinary skill in the art could perform the dehydrogenation reaction required therein. Accordingly, Applicants respectfully request that the Examiner reconsider the rejection of Claims 18-23 and 28-30.

35 U.S.C. § 102(e) Rejection of Claim 27

Claim 27 was rejected under 35 U.S.C. § 102(e) as anticipated by Macor (U.S. 6,087,368). In particular, the Examiner points out that the compounds of Formula IIIA, wherein $R^a = CH_3$, $R^3 = \text{propyl}$ and $R^4 = \text{methyl or ethyl}$ are described at Col. 36 of Macor.

Applicants amended Claim 27. Accordingly, the rejection is now rendered moot.

CONCLUSION

Having addressed all points and concerns raised by the Examiner, Applicants respectfully request an early and favorable action in this application.

Respectfully submitted,

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